

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
February 2, 2005**

The Board of Supervisors of Maricopa County, Arizona convened in Formal Session at 9:00 a.m., February 2, 2005, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Vice Chairman and Acting Chairman, District 2, Fulton Brock, District 1 (entered late); Andrew Kunasek, District 3, and Mary Rose Wilcox, District 5. Absent: Max W. Wilson, Chairman, District 4. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Manager; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

**INVOCATION**

Supervisor Mary Rose Wilcox, District 5, delivered the invocation.

**PLEDGE OF ALLEGIANCE**

Terri Leija, District 5, led the assemblage in the Pledge of Allegiance.

**PET OF THE MONTH**

Julie Bank, Maricopa County Animal Care & Control, introduced the Pet of the Month, Casper, a well-trained nine-year old mixed-breed dog who can "sit" "stay" "fetch" etc., and who has a friendly personality and alert expression. Casper was picked up and had no identification so he, and many other animals, will be ready for adoption later today.

**PUBLIC HEARING – LIQUOR LICENSE APPLICATIONS**

Chairman Stapley called for a public hearing on liquor license applications. No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox and seconded by Supervisor Kunasek, to recommend approval of the following liquor license applications:

- a) Application filed by Roger Scharenbroich for a Special Event Liquor License: (F23164) (SELL661)

Business Name: Knights of Columbus #12144  
Location: 9728 Palmeras, Sun City, AZ 85373  
Date/Time: February 12, 2005, 4:00 pm to 11:30 pm

- b) Application filed by Leonard A. Sowinski for a Special Event Liquor License: (F23164) (SELL662)

Business Name: Our Lady of Lourdes Parish Men's Club  
Location: 14818 W. Deer Valley Drive, Sun City, AZ 85375  
Date/Time: February 12, 2005, 6:00 pm to 10:30 pm

- c) Application filed by Kenneth Smithee for a Special Event Liquor License: (F23164) (SELL654) (SELL655) (SELL656)

Business Name: Pioneer Arizona Foundation, Inc.  
Location: 3901 W. Pioneer Road, Phoenix, AZ 85086  
Dates/Times: February 18, 19 and 20, 2005, 9:00 am to 5:00 pm

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February 24, 25, 26 and 27, 2005 9:00 am to 6:00 pm  
March 11, 12 and 13, 2005 9:00 am to 5:00 pm

- d) Application filed by Alice F. Cychosz for a Special Event Liquor License: (F23164) (SELL659)

Business Name: Wisconsin Club  
Location: Sun Bowl, 10748 W. Claire Drive, Sun City, AZ 85351  
Date/Time: March 10, 2005, 9:00 am to 3:00 pm

Motion carried by majority vote (3-0-2) with Supervisors Stapley, Kunasek, and Wilcox voting "aye."

**PUBLIC HEARING – IMPROVEMENT DISTRICT**

Chairman Stapley called for a public hearing on the matter of the organization of Capistrano North and South Subdivisions Street Lighting Improvement District. No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Kunasek, seconded by Supervisor Wilcox, and unanimously carried (3-0-2) to organize the Capistrano North and South Subdivisions Street Lighting Improvement District located in the vicinity of Ocotillo Road and 129th Avenue and appoint the Superintendent of Streets as District Engineer. The district's purpose is establishing street lighting facilities and purchasing electric service for the lighting of the public streets and parks within the area. (C6405204000) (ADM4302)

**ORDER ESTABLISHING  
CAPISTRANO NORTH AND SOUTH SUBDIVISIONS  
STREET LIGHTING IMPROVEMENT DISTRICT**

A petition having been filed with the Clerk of the Board of Supervisors of Maricopa County, Arizona, praying for the establishment of Capistrano North and South Subdivisions Street Lighting Improvement District, under the provisions of Title 48, Chapter 6, Article 1, Arizona Revised Statutes, 1956, and said petition having been presented to the Board of Supervisors on the 2<sup>nd</sup> day of February, 2005 at the hour of 9:00 a.m., at the usual meeting place of said Board of Supervisors at 205 West Jefferson Street, in the City of Phoenix, as required by said Arizona Revised Statutes, 1956, and said Board having heard all interested property owners who appeared at said hearing on any matter relating to the establishment of the proposed District, or filed with the Clerk of the Board of Supervisors, before the date for said hearing, and after having heard all of said property owners, said Board of Supervisors finds that said petition is signed by the requisite number of owners of real property and further finds that the public convenience, necessity and welfare will be promoted by the establishment of said district, and hereby, by this formal order declares the findings aforesaid, and establishes the boundaries as follows: See exhibits "A and B."

**CAPISTRANO NORTH  
EXHIBIT "A"**

A PORTION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11,  
TOWNSHIP 2 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND  
MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBES AS  
FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11;

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THENCE SOUTH 89 DEGREES 09 MINUTES 17 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 1303.57 FEET;

THENCE DEPARTING SAID NORTH LINE ON A BEARING OF SOUTH 00 DEGREES 03 MINUTES 10 SECONDS WEST, A DISTANCE OF 565.10 FEET TO THE POINT OF BEGINNING.

THENCE CONTINUING SOUTH 00 DEGREES 03 MINUTES 10 SECONDS WEST, A DISTANCE OF 862.50 FEET;

THENCE NORTH 89 DEGREES 08 MINUTES 06 SECONDS WEST, A DISTANCE OF 50.29 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 20.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEGREES 48 MINUTES 44 SECONDS AN ARC DISTANCE 31.70 FEET TO A POINT OF TANGENCY;

THENCE NORTH 00 DEGREES 03 MINUTES 10 SECONDS EAST, A DISTANCE OF 841.79 FEET;

THENCE SOUTH 89 DEGREES 56 MINUTES 50 SECONDS EAST, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 25,957.2 SQUARE FEET OR 0.595 ACRES GROSS, AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS OR RIGHTS-OF-WAY OF RECORD OR OTHERWISE.

**CAPISTRANO SOUTH  
EXHIBIT "B"**

A PORTION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 2 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 11;

THENCE SOUTH 89 DEGREES 11 MINUTES 30 SECONDS EAST AND ALONG THE NORTH LINE OF SAID SECTION 11, A DISTANCE OF 1303.76 FEET;

THENCE SOUTH 00 DEGREES 01 MINUTES 30 SECONDS WEST, A DISTANCE OF 1458.31 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE CONTINUING SOUTH 00 DEGREES 01 MINUTES 30 SECONDS WEST, A DISTANCE OF 1170.22 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST QUARTER;

THENCE NORTH 89 DEGREES 04 MINUTES 00 SECONDS WEST AND ALONG SAID

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SOUTH LINE, A  
DISTANCE OF 651.33 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF  
THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION  
11;

THENCE NORTH 00 DEGREES 00 MINUTES 45 SECONDS EAST AND ALONG THE  
WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE  
NORTHWEST QUARTER OF SAID SECTION 11, A DISTANCE OF 1313.51 FEET TO A  
POINT ON A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 460.00  
FEET AND WHOSE CENTER BEARS SOUTH 00 DEGREES 52 MINUTES 15  
SECONDS WEST FROM THE LAST DESCRIBED POINT;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A  
CENTRAL ANGLE 26 DEGREES 23 MINUTES 22 SECONDS, AN ARC LENGTH OF  
211.87 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 62 DEGREES 44 MINUTES 23 SECONDS EAST, A DISTANCE OF  
108.25 FEET TO A POINT OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A  
RADIUS OF 460.00 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A  
CENTRAL ANGLE OF 26 DEGREES 23 MINUTES 22 SECONDS, AN ARC LENGTH  
OF 211.87 FEET;

THENCE SOUTH 89 DEGREES 07 MINUTES 45 SECONDS EAST, A DISTANCE OF  
147.85 FEET TO THE TRUE POINT OF BEGINNING.

And further declares that said district is now established under the name of Capistrano North and South Subdivisions Street Light Improvement District, by which name it shall be known in all proceedings hereafter.

**DATED** this 2<sup>nd</sup> day of February 2005.

/s/ Don Stapley, Acting Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

**PUBLIC HEARING – SUPERIOR COURT**

Pursuant to A.R.S. §11-251.08 and by request of the Presiding Judge of the Superior Court of Arizona in Maricopa County, Chairman Stapley called for a public hearing on the matter of a Justice Courts' Automated Services fee. No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to authorize implementation of a Justice Courts Automated Services Fee of \$5.00 in Justice Courts civil, forcible detainer, and small claims actions. In civil, forcible detainer, and small claims actions, the fee will be assessed upon the plaintiff at the time of initial case filing and upon the defendant at the time of initial answer or response filing. The Justice Courts Automated Services Fee will not apply to cases filed pursuant to A.R.S. § 22-282(B) in which only a money judgment is sought, and the amount sought does not exceed fifty dollars. Fee proceeds shall be deposited with the Maricopa County Treasurer into the Justice Court Enhancement Fund (245) for disbursement by the Superior Court Presiding Judge to support and enhance all administration, implementation, integration, training and other

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aspects of case and document management systems in the Justice Courts. Expenditure of the funds is subject to appropriation by the Board of Supervisors. Effective date of this action is March 1, 2005. (C3805009800) (ADM1005)

**GRANT FUNDS FROM GOVERNOR'S OFFICE FOR CHILDREN, YOUTH AND FAMILIES FOR STOP VIOLENCE AGAINST WOMEN**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the following:

- a) Receipt of grant funds from the Governor's Office for Children, Youth and Families for the STOP Violence Against Women Grant Program in the amount of \$50,000. This grant requires a match of \$16,667. This contract, ST-WSG-04-6031/004Y1 shall be in force for the period of February 1, 2005 to January 31, 2006. The Maricopa County Department of Finance has calculated the Maricopa County Attorney's Office composite indirect cost rate at 16.0%. The grantor will allow a recoverable indirect cost rate of 5.0%. Indirect costs for the award are estimated to be \$7,619. The allowable recoverable indirect costs are estimated to be \$2,381, and unrecoverable indirect costs are estimated to be \$5,238. By approving this agenda item, the Board of Supervisors will be authorizing the acceptance of additional grant funding of \$1,900 that was not budgeted for FY 2004-05. Therefore, a budget adjustment will be required. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C1905023300)
- b) Receipt of grant funds in the amount of \$142,186 from the Governor's Office for Children, Youth and Families for the STOP Violence Against Women Grant Program (ST-WSG-04-6031/005Y1). This agreement shall be in force for the period of February 1, 2005 to January 31, 2006. The amount of the grant is a decrease of \$13,267, from \$155,453 (previously approved as part of the FY 2004-05 budget) to \$142,186. This grant requires matching funds of \$47,395. The Maricopa County Department of Finance has calculated the Maricopa County Attorney's Office composite indirect cost rate at 16.0%. The grantor will allow a recoverable indirect cost rate of 5.0%. Indirect costs for this agreement are estimated to be \$21,666. The allowable recoverable indirect costs are estimated to be \$6,771, and unrecoverable indirect costs are estimated to be \$14,895. By approving this agenda item, the Board of Supervisors will be authorizing a decrease in grant funding for FY 2004-05 of \$13,267. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C1905024300)

**APPOINTMENT OF JUSTICE OF THE PEACE PRO TEMPORE**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to appoint Andrew Gastellum as Justice of the Peace Pro Tempore, in accordance with Arizona Revised Statutes §22-121. This serves the interests of judicial economy and promotes sound case flow management. The appointment will be for the period commencing February 2, 2005 through December 31, 2005. (C3805023700) (ADM1001)

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**APPOINTMENT OF SUPERIOR COURT JUDGES PRO TEMPORE**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to appoint Thomas A. Jacobs as a Judge Pro Tempore for the period from February 2, 2005 through December 31, 2005 to serve in the various programs in the Superior Court to reduce trial delay. (C3805024700) (ADM1001)

**AMENDMENTS WITH ARIZONA COLLEGE OF ALLIED HEALTH**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the following amendments:

- a) Amendment #1 to the Affiliation Agreement between Correctional Health Services and Arizona College of Allied Health to continue maintaining and operating a clinical externship program for Medical Assistants in the area of Correctional Health. This Amendment will extend the Affiliation Agreement for a period of two (2) years from March 1, 2005 through February 28, 2007. There are no renewal options remaining. There is no financial impact associated with this Affiliation Agreement Amendment. (C2604010001)
- b) Amendment #1 to the Affiliation Agreement between Correctional Health Services and Arizona College of Allied Health to continue maintaining and operating a clinical externship program for Pharmacy Technician in the area of Correctional Health. This Amendment will extend the Affiliation Agreement for a period of two (2) years from March 1, 2005 through February 28, 2007. There are no renewal options remaining. There is no financial impact associated with this Affiliation Agreement Amendment. (C2604011001)
- c) Amendment #1 to the Affiliation Agreement between Correctional Health Services and Arizona College of Allied Health to continue maintaining and operating a clinical externship program for Health Information Specialists in the area of Correctional Health. This Amendment will extend the Affiliation Agreement for a period of two (2) years from March 1, 2005 through February 28, 2007. There are no renewal options remaining. There is no financial impact associated with this Affiliation Agreement Amendment. (C2604012001)

**AGREEMENT WITH ARIZONA COLLEGE OF ALLIED HEALTH FOR DENTAL ASSISTANTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the Affiliation Agreement between Correctional Health Services and Arizona College of Allied Health. Approval provides Dental Assistant students the educational opportunity to work in a supervised, clinical environment within the Maricopa County jail and detention facilities. Agreement is from date of Board approval for three (3) years with two (2) renewable one (1)-year options. There is no financial impact. (C2605006000)

**AGREEMENT WITH OTTAWA UNIVERSITY FOR PROFESSIONAL COUNSELING STUDENTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve an Affiliation Agreement, as amended, between Correctional Health Services and Ottawa University. Approval provides Graduate Studies in Professional Counseling students the educational opportunity to work in a supervised, clinical environment within the Maricopa County jail and detention

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facilities. Agreement period would be for three (3) years with two (2) one (1)-year renewal options. There is no financial impact. (C2605007000)

**PERSONNEL AGENDAS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve Maricopa County (Exhibit A) and Judicial Branch (Exhibit B) Personnel Agendas. Exhibits A and B will be found at the end of this set of minutes.

**EXPENDITURE ADJUSTMENTS FOR REPLACEMENT OF GENERAL AND DETENTION FUND COMPUTERS**

In accordance with A.R.S. Section §42-17106(b), motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the following expenditure appropriation adjustments totaling \$517,543 (\$461,709 for the General Fund and \$55,834 for the Detention Fund) as follows:

- Reduce General Government General Fund Reserved Contingency - Technology Reserve (100-470-4711) in the amount of \$461,709,
- Reduce General Government Detention Fund Reserved Items - New Facility Operating Costs (255-470-4711) in the amount of \$55,834, and
- Increase departmental General and Detention fund budgets by the amounts on file in the Clerk of the Board's office.

This action is required to fund the replacement of General and Detention Fund computers (PCs & Laptops) that either have expired warranties or warranties that will expire during FY 2004-05, as well as, purchase additional servers to support the PeopleSoft implementation. The countywide net impact of these adjustments is zero. (C4905027800) (ADM1825)

**AMENDMENT WITH CATHOLIC SOCIAL SERVICES FOR BEHAVIORAL HEALTH - PROFESSIONAL SERVICES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve amendment number 1 to Contract Number C8604801 with Catholic Social Services for the provision of Behavioral Health - Professional Services. The amendment decreases the contract value by \$2,000. Total funding for the period ending February 28, 2005, will decrease from \$13,900 to \$11,900. (C8604801101)

**IGA WITH CARTWRIGHT SCHOOL FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve an Intergovernmental Agreement with the Cartwright School District to provide school-based tobacco use prevention and education services. The term of the agreement is retroactive from November 1, 2004 to June 30, 2005, for a contract dollar amount not-to-exceed \$8,000. (C8605454200)

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**RENEW KENNEL PERMITS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the following kennel permit renewals for the term of January 5, 2005 through January 4, 2006: (ADM2304)

- a) Sue Nix, d.b.a. Nix Kennels, 2505 E. Louise Drive, Phoenix, AZ 85032, District 3, Permit #389 for the term of February 2, 2005 through February 1, 2006. The cost of the kennel permit is \$90, plus a penalty fee of \$25, totaling \$115. (C7905060000)
- b) Elza Zile, d.b.a. Puppy Pal Kennels, 7735 W. Alta Vista Road, Laveen, AZ 85339 (mailing address: 4607 W. Indian School Road, Phoenix, AZ 85031), District 5, Permit #385; and, Bonnie Yarnell, d.b.a. Bimini Kennels, 21039 S. 158th Street, Gilbert, AZ 85296, District 1, Permit #081 for the term of February 2, 2005 through February 1, 2006. The cost of each kennel permit is \$90. (C7905061000)

**FUND TRANSFERS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve regular and routine fund transfers from the operating funds to clearing funds, including payroll, work authorizations, journal entries, allocations, loans, and paid claims. Said claims having been recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and incorporated herein by this reference. Prove regular and routine fund transfers from the operating funds to clearing fund, including payroll, work authorizations, journal entries, allocations, loans, and paid claims.

**SOLICITATION SERIALS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the following solicitation serial items, renewals and CAPA appointments. The action on the following items is subject to County Counsel's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

**Award of Solicitation Serials**

- 04189-C      Frozen Foods - Perishable & Kosher** (\$1,500,000.00 est. / 3 years, with 3 one-year renewal options) Price agreement to purchase perishable food and pre-packaged kosher lunch and supper meals for the Sheriff's Office Food Services Division.
  - Custom Food Service, Inc.
  - JNS Foods, Inc.
  - Shamrock Foods Company
- 04209-C      Bus, Transit, Prisoner Transportation** (\$400,842.00 est. / 1 year) Price Agreement to purchase three buses for use by the Maricopa County Sheriff's Office to transport inmates.
  - Canyon State Bus Sales, Inc.



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**Contract Renewals**

The extension of the following contract(s): (Extensions are recommended with the concurrence of the using agency(s) and the vendor(s), upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

**Until March 31, 2009**

**01101-SC HVAC Service and Repair** (\$5,000,000.00 est./ 4 Years) Price agreement renewal for repair, maintenance, installation, and retrofit for heating, ventilation, and air conditioning (HVAC) equipment, including the replacement of evaporative cooler units.

- Bel-Aire Mechanical, Inc.
- Johnson Controls
- Kinetics Systems, Inc.
- Metro Mechanical, Inc.
- Midstate Mechanical, Inc.
- MK Mechanical, Inc.
- Pro Services
- Trane Company

**Until February 28, 2007**

**01132-SC Dust Stabilization, Earth/Gravel Methods** (\$300,000.00 est./ 2 Years) Price agreement renewal to provide dust remediation services for vacant lots utilizing earth/gravel methods.

- Phoenix Demolition Company and Salvage, Inc.
- Qualex Construction, Inc.
- Haydon Building Corp.
- MDI Rock

**CAPA**

The following individuals have successfully completed training provided by Materials Management and will be able to conduct nominal value procurements in selected areas for their individual agencies in accordance with the approved Certified Agency Procurement Aide Policy and Procedures.

**Board of Supervisors District 1**

Margaret Allen

**County Attorney**

Laura Quigg

**Environmental Services**

Charlene Gardner

Andrea Robinson

**Human Services**

Edennes Montanez

Pat Parnell

**Juvenile Probation**

Lloyd Weaver

**Library District**

Jessica Pangborn

**Sheriff's Office**

Barry Thiem

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**~ Supervisor Brock entered the meeting ~**

**LEASE WITH CENTRAL-ROOSEVELT, LLC**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve and execute a new full service lease No. L-7365 with Central-Roosevelt LLC, Lessor, for 11,140 square feet of office space at 1001 North Central Avenue, Phoenix. This office will house the new Air Quality Department. The lease term commences on or about March 1, 2005 and expires on June 30, 2008, with provisions to "hold over" for six (6) months if necessary. Annual fiscal year rents, with yearly increases are \$49,201.68, plus tax for FY 2004-05, \$153,275.00, plus tax, for FY 2005-06, \$197,735.00, plus tax for FY 2006-07, and \$200,520.00, plus tax for FY 2007-08. In addition to the rent, county will pay to Lessor \$556.94 per month for 29 months as cost reimbursement for tenant improvements requested by county. The tenant improvement funding will be reimbursed if county exercises a two-year extension option. This lease contains a 180-day termination clause. (C8505007000)

**DONATION TO HUMAN SERVICES CAMPUS, LLC**

Having determined pursuant to A.R.S. §11-254.04 that the Human Services Campus project constitutes "economic development activity" that will assist in the creation or retention of jobs or will otherwise improve or enhance the economic welfare of the inhabitants of Maricopa County, motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve a donation from Maricopa County of computers and phone equipment valued at \$10,000 to the Human Services Campus LLC, a 501(c)(3) charitable organization, responsible for overseeing and operating the common areas of the Human Services Campus now under construction in downtown Phoenix. This equipment is obsolete and incompatible with county requirements and would be utilized by the LLC at the Day Resource Center (DRC), a key component of the campus. (C7005033M00) (ADM2519)

**AWARD OF CONTRACT FOR THE SOUTHWEST CONSOLIDATED JUSTICE COURTS APPOINTMENTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to authorize the Public Notice legal advertisement and award a design-build construction contract for the Maricopa County Southwest Consolidated Justice Courts - Project 0323-05-034, if the guaranteed maximum price is not more than ten percent (10%) over the independent estimate. The new Justice Courts building will be located in Avondale at the Civic Center, intersection of Madison Street and Civic Center Drive (1/2 mile south of Van Buren Street and east of 115th Avenue). The project is budgeted in FY 2005-06 Five Year Capital Improvement Plan: a) Year 1, FY 2004-05 Fund 435, Agency 478, Org. 4713, Object 0915, Function Class SWJC - \$2,000,000; b) Year 2, FY 2005-06 Fund 422, Agency 477, Org. 4713, Object 0915, Function Class SWJC - \$2,815,000; c) Year 2, FY 2005-06 Fund 435, Agency 478, Org. 4713, Object 0915, Function Class SWJC - \$3,935,000. (C7005034500)

**LEASE WITH 501 N. 44TH STREET , LLC**

Item: Approve and execute a new full service lease No. L-7367 with 501 N. 44th Street LLC, Lessor, for approximately 47,000 square feet of office space at 501 North 44th Street, Floors One and Two, Phoenix, Arizona. This facility will house the Planning and Development Department. The lease term commences on May 1, 2005, and expires on April 30, 2010, with one 5-year renewal option and a provision to "hold over" for six (6) months if necessary. It also provides a right of refusal for 5,176 square feet of additional space. Annual rents, with yearly increases are as follows: Year 1, \$846,000; Year 2, \$893,000, Year 3, \$940,000, Year 4, \$987,000, Year 5 \$1,034,000, plus any increase in Operation and Maintenance

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expenses above a Base Year of 2005 and a 2.4% rental taxes on all yearly amounts. Rent for the 25th month of the term and all parking charges for the first 5-years will be abated. County may terminate the lease at the end of the 36th month by paying 6-months rent and a prorated reimbursement of upfront tenant improvement costs and commissions. County may prepay tenant improvements and upfront costs of the lease up to \$726,945 and reduce the base rental rate proportionately up to \$3.00 per rentable square foot per year.

In accordance with A.R.S. §42-17106, also approve the transfer of NTE \$727,000 in expenditure authority from General Government (Department 470), General Government Grants Fund (Fund 249, Org 4711) to Planning & Development (Department 440, Fund 226) to allow Planning & Development to utilize unbudgeted fund balance to prepay the one-time tenant improvements at this new lease location. This action will require appropriation adjustments reducing General Government (Department 470), General Government Grants Fund (Fund 249) expenditure appropriation by NTE \$727,000 and increasing Planning & Development (Department 440, Fund 226) expenditure appropriation by NTE \$727,000 for a net countywide impact of zero. (C4405014000)

Supervisor Wilcox asked if this could be continued so further work could be done with the City of Phoenix to find space closer to the County complex. David Smith replied that the County has been looking for buildings downtown for some time and Phoenix officials are very aware of this and of the special space needs that Planning and Development (P&D) have. He said that there is nothing available in downtown Phoenix. Supervisor Wilcox asked if Phoenix couldn't be asked one last time for a last-minute search for something closer. Mr. Smith said that this could be continued but he didn't know what reaction the landlord of the proposed site would have to a two-week delay. He felt it was possible to lose the 44<sup>th</sup> Street property if this were to be done. He said, "It just depends on how much risk you want to take."

Supervisor Stapley asked if the five-year lease would begin on May 1 and if any department other than P&D would move into that space.

Dennis Lindsey, Finance Department, came forward to explain the lease options and to answer questions. He said that it would begin May 1, that only P&D would occupy the space and that there is a one-time option to terminate the lease after the 3<sup>rd</sup> year.

Supervisor Stapley said, "So, if we decide to build our main campus downtown it gives us a three-year window to get it done and move into it?" He asked if that was sufficient time.

Mr. Lindsey said that would depend on when the planning begins with Phoenix and how long it takes but he felt that it should be sufficient time. With regards to holding it over for two weeks he said that it is difficult to project what any landlord might do, and added that he knew of two other prospects who are interested in leasing that property.

Supervisor Stapley remarked, "My observation is that the Phoenix real estate market is getting tighter and tighter and that's one of the reasons we couldn't site this somewhere downtown. It may be a mistake not to make the commitment and get this tied up." Discussion ensued.

Mr. Lindsey said they have had discussions with the Downtown Phoenix Partnership and they were unable to advise on any property that met the specific needs of P&D. He said, "We've canvassed the area and looked east and west at the downtown area and gone up to the midtown area as far north as Osborn. There's nothing that meets the requirements that we have unless we want to get into a much more expensive lease rate and then there's only one building that would satisfy most of those basic needs and that one has other issues with parking and first-floor access."

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Ms. Wilcox asked, "if the County authorizes this today it wouldn't have to be executed right away – and we could still look for something else?"

Paul Golab said the language in the agenda is to authorize entering the lease and executing the lease so the motion, as presented, would bind the Board.

Supervisor Stapley offered to have Mr. Smith notify Phoenix today that there wasn't anything available downtown and this was the best that could be found.

Tom Manos said, "This isn't going to come as a surprise to the City of Phoenix. (We) had a conference call with them yesterday and informed them of this agenda item and asked for a phone call if any property turned up downtown before today's meeting. None of us received a call." He said this could be regarded as a three-year solution to the problem and P&D could be brought back downtown when the County builds its complex. He added, "I'm pretty confident that there's nothing out there that we haven't identified."

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve and execute a new full service lease for office space at 501 N. 44th Street.

**EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. (ADM2007)

- |                    |   |
|--------------------|---|
| A077.016<br>(CS)   | Project No: TT040 – 12th Street (Circle Mountain Road – Tonto Forrest) – Agreement for Right of Entry – Parcel No.: 202-20-602 – Derrick E. English and Paige K. English – for the sum of \$500.00.                     |
| A077.017<br>(CS)   | Project No: TT040 – 12th Street (Circle Mountain Road – Tonto Forrest) – Agreement for Right of Entry – Parcel No.: 202-20-606A – Patrick M. Clarke and Bernice Clarke – for the sum of \$500.00.                       |
| A077.018<br>(CS)   | Project No: TT040 – 12th Street (Circle Mountain Road – Tonto Forrest) – Agreement for Right of Entry – Parcel No.: 202-20-617D – Thomas Holder and Kathy Holder – for the sum of \$500.00.                             |
| A077.020-2<br>(CS) | Project No: TT040 – 12th Street (Circle Mountain Road – Tonto Forrest) – Agreement for Right of Entry – Parcel No.: 202-20-044H – Donna M. O'Connell – for the sum of \$500.00.   |
| A077.022-2<br>(CS) | Project No: TT040 – 12th Street (Circle Mountain Road – Tonto Forrest) – Agreement for Right of Entry – Parcel No.: 202-20-617C – Lucille M. Berkemeyer – for the sum of \$500.00.                                      |
| A078.018<br>(LS)   | Project No: TT028 – PM 10 / OPS 11th Avenue (Galvin Street to Cloud Road) – Easement and Agreement for Highway Purposes – Parcel No.: 211-54-026R – Rusty A. Parker and Michele L. Parker – for the sum of \$13,900.00. |

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- A078.018 (LS) Project No: TT028 – PM 10 / OPS 11th Avenue (Galvin Street to Cloud Road) – Agreement for Right of Entry – Parcel No.: 211-54-026R – Rusty A. Parker and Michele L. Parker – for the sum of \$100.00.
- A078.018 (LS) Project No: TT028 – PM 10 / OPS 11th Avenue (Galvin Street to Cloud Road) – Purchase Agreement and Escrow Instructions – Parcel No.: 211-54-026R – Rusty A. Parker and Michele L. Parker.
- A078.029 (EGA) Project No: TT028 – 69010 – 11th Avenue (Cloud Road – Maddock Road) – Easement and Agreement for Highway Purposes – Parcel No.: 211-51-010F – Charles S. Fields and Carol A. Fields – for the sum of \$25,000.00
- A078.029 (EGA) Project No: TT028 – 69010 – 11th Avenue (Cloud Road – Maddock Road) – Purchase Agreement and Escrow Instructions – Parcel No.: 211-51-010F – Charles S. Fields and Carol A. Fields.
- A078.030 (CS) Project No: TT028 – PM 10 / 11th Avenue (Cloud Road – Maddock Road) – Easement and Agreement for Highway Purposes – Parcel No.: 211-51-033B – Mary R. Robson, as Trustee – for the sum of \$52,900.00.
- A078.030 (CS) Project No: TT028 – PM 10 / 11th Avenue (Cloud Road – Maddock Road) – Purchase Agreement and Escrow Instructions – Parcel No.: 211-51-033B – Mary R. Robson, as Trustee.
- A121.002 (JPM) Project No: TT043 – McNeil Street (35th Avenue to 31st Avenue) – Agreement for Right of Entry – Parcel No.: 300-15-061 – Marcus Angelus Sandersius, Sylvia Patricia Sandersius – for the sum of \$100.00.
- A121.005 (JPM) Project No: TT-043 – McNeil Street (35th Avenue to 31st Avenue) – Easement and Agreement for Highway Purposes – Parcel No.: 300-15-008W – Timothy L. Rawlings and Dawn M. Rawlings – for the sum of \$8,274.00.
- A121.005 (JPM) Project No: TT-043 – McNeil Street (35th Avenue to 31st Avenue) – Purchase Agreement and Escrow Instructions – Parcel No.: 300-15-008W – Timothy L. Rawlings and Dawn M. Rawlings.
- A121.008 (LS) Project No: TT043 – PM 10 / OPS McNeil Street (35th Avenue to 31st Avenue) – Easement and Agreement for Highway Purposes – Parcel No.: 300-15-070D – Cynthia Garcia, Manuel Tellez and Lupe Tellez – for the sum of \$6,050.00.
- A121.008 (LS) Project No: TT043 – PM 10 / OPS McNeil Street (35th Avenue to 31st Avenue) – Agreement for Right of Entry – Parcel No.: 300-15-070D – Cynthia Garcia, Manuel Tellez and Lupe Tellez – for the sum of \$100.00.
- A121.008 (LS) Project No: TT043 – PM 10 / OPS McNeil Street (35th Avenue to 31st Avenue) – Purchase Agreement and Escrow Instructions – Parcel No.: 300-15-070D – Cynthia Garcia, Manuel Tellez and Lupe Tellez.
- A263.002 (JPM) Project No: TT047 – 33rd Avenue (Irvine Road to Desert Hills Drive) – Easement and Agreement for Highway Purposes – Parcel No.: 203-14-015E – David C. Fattu and

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Nicole A. Fattu – for the sum of \$24,419.00.

A263.002      Project No: TT047 – 33rd Avenue (Irvine Road to Desert Hills Drive) – Purchase  
(JPM)      Agreement and Escrow Instructions – Parcel No.: 203-14-015E – David C. Fattu and  
Nicole A. Fattu.

X-1470-1      Project No: 68902 – Ellsworth Road (University Drive to McClellan Road) – Letter  
(JPM)      Agreement for a Temporary Ingress and Egress Permit – Parcel No.: 218-07-095 –  
Michelle Bagley – for the sum of \$100.00.

**IGA WITH PEORIA FOR SIGNAL DESIGN AND INSTALLATION**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the IGA between Maricopa County and the City of Peoria for traffic signal design and installation at the intersection of Northern Avenue and 107th Avenue. The city owns one leg of this intersection, with the county being responsible for the other legs. The county will contribute seventy-five percent (75%) of the funding for this project, with the city contributing the remaining twenty-five percent (25%). The total project costs are estimated at \$562,344, with the county contributing approximately \$421,758 and the city contributing approximately \$140,586. Funds are available in the Department's Traffic Engineering Division Budget for the fiscal year ending June 30, 2005, under Project No. TE155. (C6405202200)

**IGA WITH PEORIA FOR BELL ROAD REAL TIME TRAFFIC COORDINATION & MESSAGING SYSTEM**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the Intergovernmental Agreement between Maricopa County and the City of Peoria for the Design and Construction of the Bell Road Real Time Traffic Coordination & Messaging System (Bell Road from Grand Avenue to Loop 101). Approximately 94% of the project costs will be covered by federal funds, with the remaining 6% to be shared by the local jurisdictions. (C6405203200)

**PUBLIC RIGHT-OF-WAY FOR CORTESSA DEVELOPMENT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve and accept Public Right-Of-Way as conveyed in the Map of Dedication for Cortessa as recommended by the Transportation Director. (C6405208000) (ADM2007)

**APPOINTMENTS**

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve appointments a), b) and d):

- a)      **Corrections Officers Retirement Local Board** – Re-appoint Ms. Susan Schuerman as the Chairman's Designee whose term will expire December 31, 2005. (ADM3332-001)
- b)      **Aggregate Mining Operation Zoning District** – Appoint Mr. Allen White representing the resident of Sun City, and Mr. Jerry Black representing the residents of Sun City West, whose terms will expire October 5, 2006. (ADM3441-001)

(Clerk's Note: Item c) was moved to the Library District agenda.)

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- c) **Library District's Citizens Advisory Committee** – Re-appoint Ms. Jane King whose term will expire December 31, 2007. (Supervisory District 4) (ADM2805-001)
- d) **Board of Adjustment and Drainage Review Board** – Appoint Mr. Augustus Shaw IV whose term will expire February 5, 2006. (Supervisory District 1) (ADM3409)

**HEARING SET – ROAD FILE DECLARATION**

Petition has been filed for declaration of the following road into the county highway system. Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to schedule a hearing for Wednesday, March 9, 2005 at 9:00 a.m.:

**Road File No. A324.** In the vicinity of Cotton Lane from Orangewood Road to Northern Avenue; Northern Avenue from Citrus Road to Cotton Lane; Citrus Road from Northern Avenue to Olive Avenue; Olive Avenue from Perryville Road to Citrus Road; Peoria Avenue from 183rd Avenue to Citrus Road. (C6405205500)

**HEARING SET – AIR QUALITY DEPARTMENT - AIR POLLUTION CONTROL REGULATIONS RULE 325**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to correct the date listed for the public hearing on the above rule from March 2, 2005 to March 9, 2005. (C8505006000) (ADM2354)

**HEARING SET - PLANNING AND ZONING CASES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to schedule a public hearing on any Planning, Zoning and Building Code cases in the unincorporated areas of Maricopa County for March 9, 2005, at 9:00 a.m. in the Board of Supervisors Auditorium, as follows:

Z2004-027: TA2004-001

**DEANNEXATION/ANNEXATION**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to set a public hearing pursuant to A.R.S §9-471.02 for Wednesday, March 9, 2005 at 9:00 a.m. regarding ordinances filed by the City of Chandler and the Town of Gilbert deannexing and annexing certain territory within their present corporate limits. The City of Chandler (Ordinance #3544) will deannex and the Town of Gilbert (Ordinance #1542) will annex approximately 2 acres of the future Lindsay Road right-of-way between Queen Creek Road and Ocotillo Road. The date to set the hearing for this item was originally set on Wednesday, November 17, 2004. This notification is to re-set the hearing date. (ADM4206)

**COUNTY TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to accept the Treasurer's Statement of Collections and Investment summary reports for December 2004 as on file in the office of the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM4006)

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**MINUTES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve minutes of the Board of Supervisors meetings held July 2, 2004, July 12, 2004, December 13, 2004, December 15, 2004 and January 5, 2005.

**ASRS CLAIMS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System, as follows. (ADM3309)

Palmira Avina	\$2,655.60
Mitchell Rand	\$1,455.13

**CANVASS OF ELECTIONS**

Pursuant to A.R.S. §16-642(B), motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to accept the canvasses of elections submitted by special districts, as follows.

Electrical District No. 6 ADM 4469  
Electrical District No. 8 ADM4475

**CLASSIFICATION CHANGES**

Pursuant to A.R.S. §42-12054, motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the Assessor's recommendation to change classification and/or reduce the valuation of certain properties which are now owner occupied. (ADM723)

<b><u>PARCEL NUMBER</u></b>	<b><u>YEAR</u></b>	<b><u>OWNER</u></b>	<b><u>CLASS FROM</u></b>	<b><u>CLASS TO</u></b>
133-37-165	2002	Robb Marquis	LC/4	LC/3
133-37-165	2003	Robb Marquis	LC/4	LC/3
133-37-165	2004	Robb Marquis	LC/4	LC/3
141-10-399	2002	Bruce C Russell	LC/4	LC/3
141-10-399	2003	Bruce C Russell	LC/4	LC/3
141-10-399	2004	Bruce C Russell	LC/4	LC/3
142-87-353	2004	Misty Wakefield	LC/4	LC/3
148-12-277	2004	Bret Barlett	LC/4	LC/3
147-05-113	2002	Lora J Brewer	LC/4	LC/3
147-05-113	2003	Lora J Brewer	LC/4	LC/3
147-05-113	2004	Lora J Brewer	LC/4	LC/3
171-14-123	2002	Rich Baxter	LC/4	LC/3
171-14-123	2003	Rich Baxter	LC/4	LC/3
171-14-123	2004	Rich Baxter	LC/4	LC/3
200-14-265	2004	Iris Broschka	LC/4	LC/3
203-10-380	2004	Karen Batson	LC/4	LC/3
215-71-333	2004	Sesanado Suaverdex	LC/4	LC/MIXED



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218-55-080	2002	Karen Weaver	LC/4	LC/MIXED
218-55-080	2003	Karen Weaver	LC/4	LC/3
218-55-080	2004	Karen Weaver	LC/4	LC/3
218-55-293A	2002	Marvin Laubhan	LC/4	LC/3
218-55-293A	2003	Marvin Laubhan	LC/4	LC/3
218-55-293A	2004	Marvin Laubhan	LC/4	LC/3
218-55-422	2002	William Ralston	LC/4	LC/3
218-55-422	2003	William Ralston	LC/4	LC/3
218-55-422	2004	William Ralston	LC/4	LC/3
301-48-147	2004	Diane L Miller	LC/4	LC/MIXED
308-04-048A	2002	Todd Pederson	LC/4	LC/3
308-04-048A	2003	Todd Pederson	LC/4	LC/3
308-04-048A	2004	Todd Pederson	LC/4	LC/3
503-98-772A	2002	Juanita Branch	LC/4	LC/3
503-98-772A	2002	Juanita Branch	LC/4	LC/3
503-98-772A	2004	Juanita Branch	LC/4	LC/3

**CERTIFIED TAX ROLL**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to accept Certified Tax Roll, in accordance with ARS §42-15153. Detailed information, ownership, full cash values, and supporting data are contained in the files of the Assessor's Office and on magnetic tapes. (ADM703)

**DUPLICATE WARRANTS**

Necessary affidavits having been filed pursuant to A.R.S. §11-632, motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve issuing duplicate warrants to replace county warrants and school warrants which were either lost or stolen. (ADM1823) (ADM3809)

**COUNTY**

<b>NAME</b>	<b>WARRANT</b>	<b>FUND</b>	<b>AMOUNT</b>
Elisabeth Hayer	250036465	General	\$1,258.32
Philip Hurray	250031248	Expense	\$80.00
Judith Deagostino	250029767	Expense	\$105.00
Tasha Vaca	250046279	Expense	\$834.15

**SCHOOL**

<b>NAME</b>	<b>SCHOOL</b>	<b>WARRANT</b>	<b>AMOUNT</b>
Youth Change	Avondale SD	450058088	\$239.00
Brian Daukulis	Litchfield Elem SD #79	150065241	\$299.74
Kendraw Shaw	Phoenix Elem SD #1	150062698	\$936.15
Jason Richmond	Agua Fria Union HSD	150055106	\$360.01
Griselda Soto	Roosevelt SD #66	150063788	\$512.70
Emergency Response	Littleton SD #65	450058251	\$25.00
Jeff Martin	Isaac SD	1570332	\$1,133.52
Linda Natkin	Madison SD	1564416	\$1,136.73

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Verizon Wireless	Buckeye Elem SD #33	450030046	\$86.48
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**MIHS CLAIMS SETTLEMENT**

No claims were received at this time.

**PRECINCT COMMITTEEMEN**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to authorize the appointment of precinct committeemen to fill vacancies in various precincts, pursuant to A.R.S. § 16-231.B, and removal of precinct committeemen due to disqualification in accordance with lists dated February 2, 2005, as submitted by the Elections Director, and on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with the Department of Library Archives, and Public Records retention schedule. (ADM1701)

**SECURED TAX ROLL CORRECTIONS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve requests from the Assessor for corrections of the Secured Tax Rolls. (ADM705)

<b>Tax Roll</b>	<b>Resolution No.</b>	<b>Net Result</b>
2004	3351	\$210.23

**SETTLEMENT OF TAX CASES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the settlement of tax cases, list dated February 2, 2005. (ADM704)

**2003**

TX 03-000646

**2003/2004**

TX 03-000314

**2004**

ST 04-000026

TX 04-000119

TX 04-000143

**2004/2005**

ST 04-000016

ST 04-000017

TX 03-000645

TX 04-000136

**2005**

ST 04-000149

TX 04-000562

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**STALE DATED WARRANTS**

No warrants were presented at this time (ADM1816)

**TAX ABATEMENTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve requests for tax abatements from the Treasurer's Office. (ADM708)

<b>Parcel #</b>	<b>Year</b>	<b>Proposed Abatement</b>
302-81-064-0	1980	\$105.34
160-41-043-9	1992	\$512.65
160-41-043-9	1993	\$427.83
160-41-043-9	1994	\$441.31
160-41-043-9	1995	\$493.77
160-41-043-9	1996	\$451.83
160-41-043-9	1997	\$688.60
160-41-043-9	1998	\$728.87
160-41-043-9	1999	\$776.37

**CHECK ENFORCEMENT FUND QUARTERLY REPORT**

In accordance with A.R.S §13-1811(F) County Bad Check Trust fund, motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to accept the quarterly financial reports of all revenues and expenditures from the Check Enforcement Fund for the periods of July 2004 through December 2004. (ADM404-001)

**COMPROMISES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to rescind action taken on September 8, 2004 regarding compromise for Benjamin Jarabek. Corrected action was taken on October 20, 2004.

**COMPROMISES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to accept the requested compromises as payment in full for the following cases: (Discussed in executive session held January 18, 2005). (ADM407)

Lauren Allen	\$2,500.00	Josephina Luevanos	\$3,000.00
Ryan Best	\$2,218.26	Arceli Martinez	\$2,850.00
Leenita Chandler	\$40,000.00	Casey Moore	\$5,650.00
Sean Conner	\$1,584.32	David Mota	\$4,000.00
Jennifer Contreras	\$4,000.00	Miguel Ortiz	\$1,600.00
Xenia Crawford	\$4,500.00	Armando Aragon Paz	\$6,500.00
Ashley Marie Eoff	\$3,500.00	Michael Perez	\$5,000.00
Nic Ficcgaglia	\$6,000.00	Victor & Blanca Rivera	\$3,300.00

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Rozita Heidari	\$700.00	Dawn Talos	\$1,600.00
Marbella Ibarra	\$500.00	Michael Vocu	\$1,000.00
Gustavo Rosas Jiminez	\$1,450.00	Janet Workman	\$2,000.00
Albina Llanas (continued from December 13, 2004)	\$6,000.00		

**WRITE-OFFS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to accept the requested write-offs for accounting purposes only for the following cases. (Discussed in executive session held January 18, 2005). (ADM407)

Suzanne Anderberg	\$177,454.24	Juan Murrillo	\$121,291.27
Orville M. Curley	\$1,068.94	Otto Pastian	\$111.47
Joe Enriquez-Hernandez	\$44,199.20	Natalie Payne	\$16,915.88
Martin Maldonado	\$33,687.76		

Write off of Sheriff's Uncollectible Accounts (List on file in the Clerk of the Board's office):  
\$19,345.80

**PUBLIC COMMENT**

Anthony Abril, citizen, referenced the Rio Salado development going on in several parts of the Valley and said that South Phoenix needs to be developed along with other areas. He said, "We've been considered the poor district and always the dumping ground. We want development. We want beautification. We deserve it." He said that people in the southern areas of Phoenix also want and need to have some shopping malls located near their homes. He added that he hoped a library district could be established in the neighborhood of 12<sup>th</sup> Street and Buckeye Road because he'd noticed there are libraries all over the County, "But we always get overlooked." (ADM605)

**SUPERVISORS'/COUNTY MANAGER'S SUMMARY OF CURRENT EVENTS**

Supervisor Kunasek addressed the item heard earlier in the meeting on moving P&D to another building and asked that the development community be notified of the move well ahead of time because there are meetings held there that developers and other citizens attend and he felt there could be mix-ups if notification was not given far enough in advance. (ADM606)

Supervisor Wilcox mentioned the Celebrating Diversity program held last week to celebrate civil rights history and said it had been very special. She also addressed last week's water crises and thanked Al Brown and David Ludwig, Public Health Department, saying she'd seen them at some of the city meetings held to pinpoint the problem and they had been very effective representatives of the County.

Supervisor Brock announced honors received by the Maricopa County Library District recently. One was a national award for the District's online electronic book program – one of the first in the nation – where individuals can read a book online, chapter-by-chapter. He said that a novelist had been hired to write a new novel for children, "The Mystery Club of Luna Drive," and it had come to the attention of the White House and they gave an award to the District for taking this action and getting such good results.

Supervisor Stapley said NACo was holding meetings here and he had attended a reception where Senate President Ken Bennett received an award as Legislator of the Year for his work on county issues. They

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spoke and Mr. Bennett promised to work with Maricopa County on issues that we want to get through the legislature. He said that Mr. Bennett and several other key people in the legislature seem to have a good understanding of the role counties play in state government. He added that he would continue to stay in touch with State leadership during the next session.

**CODE ENFORCEMENT REVIEW – ROBERT AND SANDRA DIXON - CONTINUED**

Item: This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V200400185, Robert and Sandra Dixon, to be represented by W. Kent Foree, Attorney or Dana Hogle, Attorney. (This hearing continued from meeting of January 5, 2005 and January 19, 2005). (ADM3417-026)

Supervisor Brock asked to have this review continued to the April 6<sup>th</sup> meeting. He said that there has been meetings with Ms. Dixon and her neighbors and he felt that the problems would be resolved if additional time was applied. Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to continue this code enforcement review to the April 6, 2005, meeting.

**PLANNING AND ZONING AGENDA**

David Smith left the dais at the end of this portion of the Board meeting. All Board Members, as listed above, remained in session. Joy Rich, Chief Regional Development Services Officer, Darren Gerard, Deputy Planning and Development Director, and Terry Eckhardt, County Counsel, came forward to present the following Planning and Zoning cases. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

**CONSENT AGENDA DETAIL:**

- |           |                   |   |
|-----------|-------------------|---|
| <b>1.</b> | <b>Z2004038</b>   | <b>District 4</b>   |
|           | <b>Applicant:</b> | Jeff Geller for Walter L. Kerwood   |
|           | <b>Location:</b>  | North of the northeast corner of Durango Street and Wintersburg Road (in the Wintersburg area)  |
|           | <b>Request:</b>   | Special Use Permit (SUP) in the Rural-43 zoning district for a mini-warehouse facility – Wintersburg Mini Storage (Approximately 5 ac.) |

**COMMISSION ACTION:** Commissioner Jones moved to recommend approval of Z2004038, subject to the following stipulations "a" through "r". Commissioner Clayburg seconded the motion, which passed with a unanimous vote of 9-0.

- a. Development of the site shall be in substantial conformance with the site plan entitled "Request for Special Use Permit for Wintersburg Mini Storage", consisting of one (1) full-size sheet, dated revised September 15, 2004 and stamped received October 15, 2004, except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled "Site Narrative For Wintersburg Mini Storage", consisting of five (5) pages, stamped received October 15, 2004, except as modified by the following stipulations.
- c. Dedication of additional rights-of-way to bring the total half-width dedication to 65' for Wintersburg Road (379<sup>th</sup> Avenue) and bonding for one additional lane of pavement along

the frontage of the site shall occur within six (6) months of approval of this request by the Board of supervisors, and prior to zoning clearance.

- d. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation for landscaping or other improvements in the right-of-way.
- e. The septic system disposal field shall not be placed under roadways. Permits must be obtained from the Maricopa County Environmental Services Department for the onsite sewage disposal system prior to construction.
- f. Water wells should be located at least 50' from any property boundary to avoid impacting the neighbor's use of their land. Wells must be located at least 100' from the nearest septic system.
- g. Roadway and driveway surfaces must meet Maricopa County Environmental Services Air Quality guidelines, as expressed in Regulation 310.01.
- h. The applicant shall address off-site flow from the wash from the north. This impacts the northwest corner of the property. The Palo Verde Zone A Floodplain Delineation Study has a flow rate of 280 cfs. Show the limits of the water surface from this wash on the parcel with supporting calculations from a Registered Professional Civil Engineer.
- i. The off-shore flow shall not co-mingle with on-site retention.
- j. The applicant shall obtain a Drainage Clearance and Floodplain Use Permit in conjunction with a building permit.
- k. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- l. This Special Use Permit shall expire 10 years from the date of approval by the Board of Supervisors, or upon expiration of the lease to the applicant, or upon termination of the use, whichever occurs first.
- m. Hours of operation for the site will be limited to 6:00 a.m. to 8:00 p.m.
- n. All buildings will have a muted color scheme compatible with the Sonoran Desert.
- o. The applicant shall screen Phase I along the phase line with a view obscuring fence such as chain link fence with slatting or a solid masonry wall prior to completion of Phase II.
- p. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- q. Major changes to this Special Use Permit (site plan and narrative report), or the conditions of approval, shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor

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changes may be administratively approved by staff of the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.

- r. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve this Special Use Permit with stipulations "a" through "r."

- 2. Z2004048 District 4**  
**Applicant:** Cathy Oliva for Oliva & Short Family Trusts  
**Location:** West of the southwest corner of Glendale Avenue and 135<sup>th</sup> Avenue (in the west Glendale area)  
**Request:** Special Use Permit (SUP) for a mini-storage facility in the R-5 zoning district, Airport Overlay Zone 4 – Desert Gardens Mini Storage (Approximately 2 ac.)

**COMMISSION ACTION:** Commissioner Clayburg moved to recommend approval of Z2004048, subject to the following stipulations "a" through "t". Commissioner Jones seconded the motion, which passed with a unanimous vote of 9-0.

- a. Development and use of the site shall comply with the site plan entitled "Proposed Site Plan - Mini-Storage Desert Gardens" consisting of one full-size sheet, dated revised November 11, 2004 and stamped received November 15, 2004 except as modified by the following stipulations.
- b. Development and use of the site shall comply with the landscape plan entitled "Preliminary Landscape Plan – Mini Storage for Desert Gardens" consisting of one full-size sheet, dated revised November 11, 2004 and stamped received November 15, 2004 except as modified by the following stipulations.
- c. Development and use of the site shall comply with the narrative report entitled "Special Use Permit Application for Property commonly known as Desert Gardens Mini Storage" consisting of seven pages, dated revised October 1, 2004 and stamped received October 1, 2004 except as modified by the following stipulations.
- d. The hours and days of operation shall be limited to Monday through Friday, 9 a.m. to 6 p.m., Saturday, 9 a.m. to 5 p.m., and Sunday, 12 p.m. to 5 p.m.
- e. The site shall have a minimum landscape width of 20' along the Glendale Avenue frontage and shall be adequately screened from Glendale Avenue.
- f. All trees shall be double-staked when installed.
- g. All landscaping shall be maintained in good health and replaced as necessary for the life of the Special Use Permit (SUP) approval.

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- h. All landscaping with the County right-of-way shall be in compliance with Maricopa County Department of Transportation regulations.
- i. All materials and colors shall be muted and compatible with the desert environment.
- j. Signage will be limited to what is indicated on the approved site plan.
- k. All habitable buildings constructed shall be constructed to attain noise reduction as per A.R.S. § 28-8482.
- l. Prior to development, a drainage clearance to include submittal of a final drainage report must be approved by the Maricopa County Flood Control District.
- m. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- n. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility-related, ground-mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All H.V.A.C. units shall be ground-mounted.
- o. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- p. The applicant shall submit a written report outlining the status of the development at the end of five (5) years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- q. This Special Use Permit shall expire twenty-five (25) years from the date of approval by the Board of Supervisors, or upon expiration of the lease to the applicant, or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
- r. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
- s. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division or the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- t. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the



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conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve this Special Use Permit with stipulations "a" through "t."

3.     **Z2004068     District 3**  
       **Applicant:**     George Rainhart, Architect & Associates, PC for CAP II Daisy Mountain, LLC  
       **Location:**     Northwest corner of Gavilan Peak Parkway and Daisy Mountain Drive (in the Anthem area)  
       **Request:**       Plan of Development for a neighborhood commercial center in the C-2 CUPD zoning district – Daisy Mountain/Gavilan Peak Plan of Development (4.5 ac.)

**COMMISSION ACTION:** Commissioner Smith moved to recommend approval of Z2004081, subject to the following stipulations "a" through "k". Commissioner Munoz seconded the motion, which passed with a unanimous vote of 7-0.

- a.     Development of the site shall be in substantial conformance with the site plan entitled "GAVILAN PEAK & DAISY MOUNTAIN", consisting of one (1) full-size sheet, dated revised May 24, 2004 and stamped received October 18, 2004, except as modified by the following stipulations.
- b.     Development of the site shall comply with the narrative report entitled "PROPOSED DEVELOPMENT AT THE NORTHWEST CORNER OF GAVILAN PEAK PARKWAY & DAISY MOUNTAIN DRIVE", consisting of eight (8) pages, dated July 1, 2004 and stamped received October 18, 2004, except as modified by the following stipulations.
- c.     Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the Daisy Mountain Fire District and indicating the site will be developed in accordance with their requirements.
- d.     All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All roof-mounted equipment shall be screened from view by a continuous parapet.
- e.     All landscaping will be species listed on the approved plant palette of the Anthem Design Guidelines. All trees shall be double-staked when installed. All landscaping within public rights-of-way shall comply with Chapter 9 of the MCDOT Roadway Design Manual.
- f.     Major changes to this site plan (the site plan and narrative report), or the conditions of approval, shall be processed as a revised application in the same manner as the original application with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.

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- g. Noncompliance with the plan of development (the site plan and narrative report), or the conditions of approval, will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- h. Development will comply with all recommendations in MCDOT approved Traffic Impact Study (TIS).
- i. Applicant shall provide ultimate half-street improvements and intersection signalization at the discretion of MCDOT.
- j. Prior to development, a drainage clearance must be obtained from the FCD.
- k. The site is subject to a Commercial Unit Plan of Development (CUPD) Overlay Zone for the chief purpose of waiving buffer/screen wall requirements. A precise Plan of Development is required for any future (re)development.

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve this Plan of Development with stipulations "a" through "k."

- 4. Z2004105 District 4**
- Applicant:** Verizon Wireless for Circle Broadcasting Company, Inc.
- Location:** Approximately 3.0 miles south of the Town of Wickenburg on Vulture Mine Road (in the Wickenburg area)
- Request:** Major Amendment to a Special Use Permit (SUP) for a radio tower/wireless communications facility in the Rural-43 zoning district, Cellular Use District 3 for replacement of a 20' tall wooden pole with a 50' wooden pole and associated wireless communications equipment – Verizon PHO Vulture (Approximately 3.65 net ac.)

**COMMISSION ACTION:** Commissioner Jones moved to recommend approval of Z2004105, subject to the following stipulations "a" through "d". Commissioner Clayburg seconded the motion, which passed with a unanimous vote of 9-0.

- a. Development and use of the site shall be in substantial conformance with the site plan entitled "PHO Vulture", consisting of two (2) full-size sheets prepared by L/D Architects, dated November 18, 2004 stamped by the architect November 19, 2004, and stamped received November 22, 2004, except as modified by the following stipulations.
- b. Development and use of the site shall be in substantial conformance with the narrative report entitled "Project Name: PHO Vulture – Microwave Modification, Verizon Wireless – Major Amendment to Special Use Permit Z2004105", consisting of three (3) pages, dated revised November 19, 2004 and stamped received November 22, 2004, except as modified by the following stipulations.
- c. The applicant shall obtain the necessary permits prior to the commencement of any site improvements. Prior to any construction or placement of any equipment, the applicant shall obtain the necessary construction permits from the Maricopa County Planning and Development Department for all structures on the property.
- d. All stipulations of Z2002078 shall apply unless superseded by the stipulations above.

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Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve this amended Special Use Permit with stipulations "a" through "d."

**REGULAR AGENDA DETAIL:**

- 5.      Z2004081      District 3**  
**Applicant:** Victor Olson, Phoenix Design Group, LLC for Stockett Properties, LLC  
**Location:** Northeast corner of 19<sup>th</sup> Avenue and Park View Lane (in the north Phoenix area)  
**Request:** Rezone from Rural-43 to IND-2 PD with a Plan of Development for tile and stone finishing, warehouse, and offices – Stockett Tile and Granite (Approximately 3.35 ac.)

**COMMISSION ACTION:** Commissioner Smith moved to recommend approval of Z2004081, subject to the following stipulations "a" through "i". Commissioner Clayburg seconded the motion, which passed with a unanimous vote of 9-0.

- a. Development and use of the site shall comply with the site plan entitled "Stockett Tile and Granite – New Offices and Fabrication Facility", consisting of five (5) full-size sheets prepared by Phoenix Design Group, dated revised December 16, 2004 and stamped received December 17, 2004, except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Narrative Report Stockett Tile and Granite Headquarters Zone Change Application", consisting of five (5) pages, dated October 4, 2004, and stamped received October 15, 2004, except as modified by the following stipulations.
- c. Prior to the issuance of building permits, the following Drainage Review stipulations shall be met:
  - i. The applicant shall quantify the off-site flow amount and indicate how that flow will be routed through the site.
  - ii. The applicant shall indicate perpendicular cross sections through the site indicating property lines, swales, retention areas, finished floors, and street details.
  - iii. The site plan shall include an engineer's certification, certifying that all finished floors shown on this plan are free from inundation during a 100-year peak runoff event.
- d. The following MCDOT stipulations shall be met:
  - i. The subject property, including the Park View Lane alignment shall be annexed into the City of Phoenix.
  - ii. The applicant shall dedicate a total half-width of 55' right-of-way along 19<sup>th</sup> Avenue adjacent to the site.

- iii. The applicant shall dedicate a total half-width of 30' right-of-way along Park View Lane adjacent to the site.
- iv. The applicant shall provide ultimate half-width improvements with pavement, curb, gutter, & sidewalk on 19<sup>th</sup> Avenue and Park View Lane.
- v. MCDOT standard detail Fig. 5.6 requires sidewalk if vertical curb & gutter is used along Park View Lane.
- vi. Any landscaping in county right-of-way must meet Chapter 9 (Roadway Design Manual).
- vii. Parking spaces & drives shall be paved.
- e. Prior to above ground construction of structures intended for human occupation, there shall be an on-site connection available to a registered public water system. This project shall be connected to the City of Phoenix water system when it is occupied.
- f. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department.
- g. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- h. All trees shall be double-staked when installed.
- i. All outdoor lighting shall conform to the applicable "Dark Sky" ordinance.
- j. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility-related, ground-mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be screened from view.
- k. Major changes to this plan of development (the precise plan of development and narrative report) shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the plan of development may require a new Citizen Participation Process as determined by the Planning and Development Department.
- l. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.

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Darren Gerard gave the background on this case, which would have been on the Consent Agenda if one of the stipulations hadn't been slightly changed. There is no known opposition to this rezoning request.

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to concur with the recommendation of the Planning Commission for approval with stipulations "a" through "l."

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

\_\_\_\_\_  
Don Stapley, Acting Chairman of the Board

ATTEST:

\_\_\_\_\_  
Fran McCarroll, Clerk of the Board